

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROY EVANGELISTA, JR.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. C23-5184 RSM

**ORDER GRANTING STIPULATED
MOTION FOR REMAND**

Based on the parties' Stipulated Motion, it is hereby ORDERED that this case be reversed and remanded for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g).

The Appeals Council will remand the case to an administrative law judge (ALJ) for a new decision. The ALJ is instructed to thoroughly evaluate the claimant's allegations of symptoms, explaining the factors he considered in arriving at his findings, in accordance with 20 C.F.R. §§ 404.1529 and 416.929 and Social Security Ruling 16-3p.

The ALJ is also instructed to further consider the combined effects of the Plaintiff's lumbar spine abnormalities with radiculopathy, cervical spine degenerative changes and his polyneuropathy. The Appeals Council will instruct the ALJ to take further action to complete the administrative record, as warranted.

1 After judgment, Plaintiff may be entitled to reasonable attorney's fees pursuant to the
2 Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to this Court.

3 DATED this 17th day of July, 2023.
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7 RICARDO S. MARTINEZ
8 UNITED STATES DISTRICT JUDGE
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